

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

**EVANGELINE MARQUEZ, Personal Representative
of the Estate of Michael Mattis, deceased,**

Plaintiff,

vs.

Cause No. 16-CV-001259-JB/SCY

ANDREW KOWALKOWSKI, M.D.,

Defendant.

**DEFENDANT ANDREW KOWALKOWSKI'S UNOPPOSED MOTION
FOR ORDER OF DISMISSAL WITH PREJUDICE OF PUNITIVE DAMAGES CLAIM**

Defendant Andrew Kowalkowski, M.D. moves for entry of an Order of Dismissal with Prejudice of the claim against him for punitive damages in Plaintiff's Amended Complaint for the Recovery of Damages Caused by the Deprivation of Civil Rights and Wrongful Death. As grounds for this motion, Dr. Kowalkowski states as follows.

1. Plaintiff has agreed to dismiss her punitive damages claim against Dr. Kowalkowski with prejudice.
2. Plaintiff concurs in this motion.

Respectfully submitted,

HINKLE SHANOR LLP

/s/ William P. Slattery

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **Defendant Andrew Kowalkowski, M.D.'s Unopposed Motion for Order of Dismissal With Prejudice of Punitive Damages Claim** was filed in the electronic filing system of the United States District Court for the District of New Mexico, which in turn caused true and correct copies of the foregoing paper to be made available to all counsel of record, on this 18th day of November 2019.

/s/ David B. Lawrenz

David B. Lawrenz